

Governor's Office of Homeland Security



Fiscal Year 2008 Interoperable Emergency Communications Grant Program

California Supplement Federal Program Guidance and Investment Kit

July 14, 2008

Table of Contents

	Page
Section One - Overview	1
Federal Program Guidance and Updates	1
Information Bulletins	1
Purpose of the California Supplement	1
Methodology – Local Awards	1
Planning Area Allocations	2
Eligible Subgrantees	2
Local Approval Authority	2
Suggested Investments	2
Planning Area Breakdown	2
Methodology - State Awards	3
Management and Administrative Costs	3
Tribal Governments	3
Public and Private Organizations	3
Section Two - Timelines	4
Section Three - Subgrantee Investments	5
Required Subgrantee Investment Components	5
Regional Approach	5
Subgrantee Investment Submission	5
Governing Body Resolution	6
Signature Authority	6
Grant Assurances	6
Section Four - Post Award Requirements	7
Post Award Modifications	7
Subgrantee Performance Reports	7
Monitoring Subgrantee Performance	7
Suspension or Termination	8
Closeout	8
Payment Request Process	9
State Contact Information	9
Section Five - Appendices	10
Governing Body Resolution – OA and UASI	11
Governing Body Resolution Instructions	13
Signature Authority – State Agency	14
Grant Assurances	15

Section One - Overview

Federal Program Guidance and Updates	<p>The Department of Homeland Security (DHS), Office of Emergency Communication (OEC), and the Federal Emergency Management Agency (FEMA) Grant Programs Directorate (GPD) published the Interoperable Emergency Communications Grant Program (IECGP).</p> <p>The federal IECGP <i>Guidance and Investment Kit</i> may be obtained at: http://www.fema.gov/pdf/government/grant/iecgp/fy08_iecgp_program.pdf</p> <p>The DHS also issues information bulletins which provide grant updates, information, clarification, and requirements throughout the life of the grant.</p>
Information Bulletins	<p>Information Bulletins:</p> <p>http://www.ojp.usdoj.gov/odp/docs/info291.pdf</p>
Purpose of the California Supplement	<p>The <i>California Supplement</i> to the Federal Program Guidance is intended to complement, rather than replace, the Guidance published by DHS and GPD. The <i>Supplement</i> includes additional California policies and requirements applicable to FY 08 IECGP.</p>
Methodology-Local Awards	<p>The California Statewide Interoperability Executive Committee (CalSIEC) has been delegated the responsibility of establishing technical and operational policies for all current State Mutual Aid Radio frequencies administered by the Governor's Office of Emergency Services (OES), the new 700 MHz band, and any other spectrum recognized as being allocated for interoperability use by the Federal Communication Commission or the public safety community in California. This executive committee has also become a forum for nearly all issues regarding interoperable communications relative to local public safety organizations, and is recognized in the California Statewide Communications Interoperability Plan (CalSCIP) as a guiding body in the coordination and implementation of California's interoperability efforts. For governance and regional interoperable communications planning purposes, CalSIEC has divided the state into four Planning Areas (PA)'s (please see the list of member Organizational Area(OA) per PA in "Planning Area Breakdown"). Due to its role in statewide interoperable communications, the total amount available to locals (\$4,885,881) of FY 08 California's entire FY 08 IECGP award (\$6,107,351) has been allocated based upon this governance structure, with decision making authority of a baseline amount (\$500,000), plus an additional amount based on risk, granted to each PA. An elected subgrantee is only eligible for funds allocated to the PA it is a member of. (See PA breakdown below.) For more information regarding CALSIEC and the PA's please visit: http://www.calsiec.org.</p>

**Planning Area
Allocations**

Total Local Award: \$4,885,881
Planning Area Allocations
Northern \$593,792
Central \$708,360
Capitol-Bay \$1,374,422
Southern \$2,209,307

**Eligible
Subgrantees**

Governor's Office Homeland Security (OHS) cannot award funds to CalSIEC PA directly, therefore the eligible subgrantees for the FY 08 IECGP local awards are the recognized Urban Area Security Initiative's (UASI) within each PA (please see "Planning Area Breakdown" below). While UASI's are the only available IECGP subgrantees of OHS, other local entities may receive IECGP funds, but must have these funds administered by an eligible UASI subject to federal, state, and UASI IECGP requirements (please see "Local Approval Authority" below). A UASI can only be awarded funds from the allocation made to the PA in which it is a member of, and the total award to all UASIs within a PA cannot exceed the IECGP allocation to the PA as found in "Planning Area Allocations" (please see above). Not all UASIs need to receive funds, as selected projects are meant to be reflective of regional collaboration, and it is highly recommended that each PA limit the number of subgrantees to the minimum necessary to complete selected investments.

NORTHERN/ CENTRAL PLANNING AREA EXCEPTION: The Northern (NPA) and Central Planning Area (CPA) do not have a recognized UASI within its region. Eligible subgrantees within the NPA/CPA will consist of any OA or tribe selected by the NPA/CPA. Again, it is emphasized that the NPA/CPA select the minimum number of subgrantees necessary to complete selected investments.

**Local Approval
Authority**

For the FY 08 IECGP, OHS will be submitting a single Project Outline on behalf of California to DHS on July 21, 2008. This project outline will account for the State's entire award, and consist of recommended projects from each of the PA relative to their allocations. All final local investments are subject to approval by their corresponding PA. **All selected projects, selected subgrantees, and required subgrantee materials as specified by this guidance must be submitted to OHS by Friday, September 26, 2008.**

**Suggested
Investments**

- Ensure UASI Tactical Interoperable Communication Plans (TICP)'s are current as of 2007.
- Exercise of existing TICPs.
- Resolution of any existing Memorandum of Understanding (MOU) issues.
- Support of the CalSIEC Planning Area governance structure.

**Planning Area
Breakdown**

Northern PA: Butte; Colusa; Del Norte; Glenn; Humboldt; Lake; Lassen; Mendocino; Modoc; Nevada; Plumas; Shasta; Sierra; Siskiyou; Sutter; Tehama; Trinity; Yuba. Eligible Subgrantee: Elected by the PA.

Central PA: Fresno; Kern; Kings; Madera; Mariposa; Merced; Tulare; Fresno UASI. Eligible Subgrantee: Elected by the PA

Capitol-Bay PA: Alameda; Alpine; Amador; Calaveras; Contra Costa; El Dorado; Marin; Monterey; Napa; Placer; Sacramento; San Benito; San Francisco; San Joaquin; San Mateo; Santa Cruz; Santa Clara; Solano; Sonoma; Stanislaus; Tuolumne; Yolo; Bay Area UASI; Sacramento UASI. Eligible Subgrantees.

Southern PA: Imperial; Inyo; Los Angeles; Mono; Orange; Riverside; San Bernardino; San Diego; San Luis Obispo; Santa Barbara; Ventura; Anaheim/Orange UASI; Los Angeles/Long Beach UASI; Riverside UASI; San Diego UASI. Eligible Subgrantees.

**Methodology-
State Awards**

OHS will include all State agency investments in the single Project Outline to be submitted on account of California investments. All State agency projects and subgrantees to receive FY 08 IECGP funding will be selected by the Public Safety Radio Strategic Planning Committee (PSRSPC). PSRSPC member agencies are eligible for selection as a subgrantee.

State Agency Allocations

Total Award: \$1,221,470

Allocation

Management and Administration \$183,223

State Investments \$1,038,247

**Management
and
Administrative
Costs**

As required by the federal *IECGP Guidance and Investment Kit* three percent (3%) of the total award has been taken out of the State's share for management and administration. Grantees are not required to provide cash or in-kind match for FY 08 IECGP funds.

**Tribal
Governments**

All subgrantees are encouraged to coordinate with Tribal governments to ensure that tribal needs are considered in the subgrantees' investments.

**Public and Private
Organizations**

Subgrantees may contract with any other public or private organizations to perform eligible activities on approved projects.

Section Two - Timelines

June 20, 2008	DHS announcement of FY 08 IECGP grant program
July 14, 2008	OHS FY 08 IECGP California Supplement grant guidance release
July 21, 2008	State Administrative Agency (SAA) investment submittal date
September 30, 2008	DHS Award – Tentative*
21 months from DHS Award Date	Subgrantee performance period ends
24 months from DHS Award Date	SAA Performance Period Ends Final requests for reimbursement due

* Date approximate depending on DHS project approval date

Section Three - Subgrantee Investments

Required Subgrantee	Elected subgrantees must submit the required materials to OHS by Friday September 26, 2008.
Materials	<ul style="list-style-type: none">• Completed OHS Financial Management Forms Workbook Investment Cover Sheet Grant Management Roster Project Ledger Project Description Project – A thru T<ul style="list-style-type: none">- Investment Justification - Goals and Objectives- Project Description- Need for Project- Status of Project Equipment Inventory Ledger Training Roster Exercise Roster Authorized Agent form with appropriate signatures
Regional Approach	<ul style="list-style-type: none">• Fully Executed Governing Body Resolution - OA and UASI/SUASI OHS is expecting an award announcement from DHS on or before September 30, 2008. Per the federal guidance, OHS must pass-through FY 08 IECGP funds to subgrantees within 45 days of the DHS award. In acknowledgement of the limited flexibility some subgrantees expect in scheduling public hearings and other meetings to approve governing body resolutions, OHS has identified two alternative options to address the issue of having a limited amount of time to submit the governing body resolution. <u>Option 1:</u> Governing bodies may pre-approve resolutions in excess of anticipated award amounts that identify pre-selected projects. Since our collective planning efforts are now year-round, subgrantees should already have a list of prioritized projects for funding. <u>Option 2:</u> Submit verification of the submission to the governing body of the resolution required in the Guidance, and submit a final, approved resolution. or<ul style="list-style-type: none">• Fully Executed Signature Authority - State Agency <p>The Financial Management Forms Workbook can be found at http://www.ohs.ca.gov/grants_fiscal_reporting.html.</p> <p>NOTE: Subgrantee awards will not be made until all required subgrantee materials have been approved by the State.</p>
Subgrantee Investment Submission	Subgrantees must take a regional approach when determining the best use of FY 08 IECGP funds. Subgrantees must consider the needs of local units of government and applicable volunteer organizations in the projects and activities included in their FY 08 IECGP investment.

Completed financial management forms workbooks including signed pages **must be submitted to :**

Governor's Office of Homeland Security
ATTN: Grant Management Section
Infrastructure Protection Grant Unit
State Capitol
Sacramento, CA 95814

Governing Body Resolution	<p>The <i>Governing Body Resolution</i> appoints agents authorized to execute any actions necessary for each subgrantee.</p> <p>NOTE: All subgrantees will be required to submit a new Governing Body Resolution with their FY 08 IECGP. A sample Resolution can be found in Appendix A - Appendices.</p>
Signature Authority	<p>The <i>Signature Authority</i> is used by public organizations such as State agencies to appoint agents authorized to execute any actions necessary for each subgrantee.</p> <p>NOTE: All subgrantees will be required to submit a new Signature Authority with their FY 08 IECGP. A sample Signature Authority can be found in Appendix B - Appendices.</p>
Grant Assurances	<p>The Grant Assurances form lists the requirements to which the subgrantees will be held accountable. These assurances are consistent with the special conditions issued with the federal grant award to the OHS. The grant assurances will be issued by OHS after the federal grant award is received and the federal special conditions are incorporated. Grant assurances are issued in PDF format to ensure accuracy. Only the PDF form issued by OHS will be accepted. A sample Grant Assurances can be found in Appendix C - Appendices.</p> <p>NOTE: All original documents with wet signatures should be mailed to OHS.</p> <p>Requests for reimbursement will not be honored until all subgrantee materials assurances have been received by OHS via US mail.</p>

Section Four - Post Award Requirements

Post Award Modifications Post-award budget, scope and time modifications must be requested using the **OHS Financial Management Forms Workbook**, by the subgrantees' Authorized Agent, and submitted to the subgrantee's Program Representative in the Grant Administration Unit at the OHS. Upon approval, the subgrantee will be instructed to make the required changes in the Office for Domestic Preparedness (ODP), Grants Reporting Tool (GRT) <https://www.reporting.odp.dhs.gov>. The subgrantee may implement the modifications, and incur associated expenses, **after** receiving **written final approval** of the modification from the State.

Modifications can be requested once per quarter during the grant performance period. Failure to submit modification requests, and receive written approval prior to expenditure, could result in a reduction or disallowance of that part of the grant.

Subgrantee Performance Reports Subgrantees must prepare and submit performance reports to the state for the duration of the grant performance period, or until all grant activities are completed and the grant is formally closed. Subgrantees must complete a Biannual Strategy Implementation Report (BSIR) using the GRT. <https://www.reporting.odp.dhs.gov>, and will also be required to submit additional information and data requested by the State.

Subgrantees who miss a single reporting deadline will receive a letter addressed to their Board of Supervisors or Governing Body informing them of the failure to report. Subgrantees who fail to report twice in a row will have subsequent awards reduced by ten percent (10%) until timely reporting is reestablished.

Monitoring Subgrantee Performance The State is currently conducting a program of subgrantee monitoring. The monitoring will be conducted on the subgrantees' administrative, programmatic and fiscal management of the grant(s).

These reviews may include, but are not limited to:

- Eligibility of expenditures.
- Comparing actual subgrantee activities to those approved in the subgrantee investment and subsequent modifications, if any.
- Ensuring that advances have been disbursed in accordance with applicable guidelines.
- Confirming compliance with:
 - Grant Assurances.
 - Information provided on performance reports and payment requests.
 - Needs and threat assessments and strategies.

It is the responsibility of all subgrantees to monitor and audit the grant activities of their sub recipients. This requirement includes, but is not limited, to onsite verification of grant activities as required.

- Suspension or Termination** OHS may suspend or terminate subgrantee funding, in whole or in part, or other measures may be imposed for any of the following reasons:
- Failing to expend funds in a timely manner consistent with the grant milestones, guidance and assurances.
 - Failing to comply with the requirements or statutory objectives of Federal or State law.
 - Failing to make satisfactory progress toward the goals or objectives set forth in the subgrantee investment.
 - Failing to follow grant agreement requirements or special conditions.
 - Proposing or implementing substantial plan changes to the extent that, if originally submitted, the subgrantee investment would not have been selected for funding.
 - Failing to submit required reports.
 - Filing a false certification in the investment or other report or document.
 - Failing to adequately manage, monitor or direct the grant funding activities of their sub recipients.

Before taking action, OHS will provide the subgrantee reasonable notice of intent to impose corrective measures and will make every effort to resolve the problem informally.

Closeout OHS will close a subgrantee award after:

- Receiving a subgrantee Performance Report indicating that all approved work has been completed, and all funds have been disbursed;
- Completing a review to confirm the accuracy of reported information; and,
- Reconciling actual costs to awards, modifications and payments.

If the closeout review and reconciliation indicates that the subgrantee:

- Is owed additional funds, OHS will send the final payment automatically to the subgrantee.
- Did not use all funds received, OHS will issue an Invoice or Grant Modification letter to recover unused funds.

In the **Grant Closeout letter**, OHS will notify the subgrantee of the start of the record retention period for all programmatic and financial grant-related records.

NOTE: Failure to maintain all grant records for the required retention period could result in a reduction of eligible grant activities, and an invoice to return costs associated with the unsupported activities.

Payment Request Process To request reimbursement payment of FY 08 IECGP funds, complete a payment request form using the OHS Financial Management Forms Workbook and return it to the appropriate Program Representative in the Grant Administration Unit at the Governor’s Office of Homeland Security.

OHS Financial Management Forms Workbook
http://www.ohs.ca.gov/grants_fiscal_reporting.html

NOTE: Payments can only be made if the subgrantee has an approved subgrantee investment, valid Governing Body Resolution, Signature Authority, and valid Grant Assurances form.

State Contact Information All subgrantee submittals, related questions, comments and correspondence should be directed to the address below.

Governor’s Office of Homeland Security
ATTN: Grants Management Division
State Capitol
Sacramento, CA 95814-4900
(916) 324-8908
(916) 324-5902 Fax

OHS Website **Governor’s Office of Homeland Security Website**
<http://www.ohs.ca.gov/>

Grants Reporting Tool **Office for Domestic Preparedness, Grant Reporting Tool (GRT)**
<https://www.reporting.odp.dhs.gov/>

Section Five - Appendices

A.) Governing Body Resolution – OA and UASI/SUASI

B.) Signature Authority – State Agency

C.) Grant Assurances – OA, UASI/SUASI/State Agency

Appendix A

Sample of Resolution

NOTE: A Subgrantee Investment request from the Governor's Office of Homeland Security for federal grant funds is to include, at a minimum, the following information in a resolution. Subgrantee Investments has the option of including any additional information.

RESOLUTION NO. _____

A RESOLUTION APPROVING A SUBGRANTEE'S INVESTMENT FOR FUNDING FROM

THE _____ AND AUTHORIZING THE
(name of grant program)

EXECUTION OF A GRANT AGREEMENT AND AMENDMENTS

THERE TO WITH THE STATE OF CALIFORNIA FOR THE PURPOSES OF

THIS GRANT.

BE IT RESOLVED by the _____ of the
(governing body)

_____ as follows:
(applicant)

SECTION 1:

The _____ has reviewed and hereby approves Subgrantees Investment for:
(governing body)

_____ for up to \$ _____.
(name of grant program) (requested amount)

PROJECT A: _____

PROJECT B: _____

PROJECT C: _____

Add projects if necessary

SECTION 2:

Be it resolved that _____ or
(authorized agent name/title)

_____ or _____
(authorized agent name/title) (authorized agent name/title)

is hereby authorized and directed to act on the _____ behalf in all
(applicant's)

matters pertaining to this Subgrantees Investment.

PASSED AND ADOPTED at a meeting of the _____ of the
(governing body)

_____ held on _____.
(applicant) (date)

OFFICIAL ATTESTING TO THIS ACTION:

ATTEST:

Signature: _____

Instruction Sheet for the Governing Body Resolution

Purpose

The purpose of the Governing Body Resolution is to appoint individuals to act behalf of the governing body and the applicant.

Authorized Agent(s)

The Governing Body Resolution allows for the appointment of individuals or positions. For each person or position appointed by the governing body, submit the following information, with the resolution, to the State on the subgrantees letterhead:

- | | |
|--|---|
| <input type="checkbox"/> Jurisdiction | <input type="checkbox"/> Telephone |
| <input type="checkbox"/> Grant Program | <input type="checkbox"/> Fax # |
| <input type="checkbox"/> Name | <input type="checkbox"/> Cell Phone # |
| <input type="checkbox"/> Title | <input type="checkbox"/> E-Mail Address |
| <input type="checkbox"/> Address | |
| <input type="checkbox"/> City | |
| <input type="checkbox"/> Zip Code | |

Authorized Agent Changes

- If the Governing Body Resolution identifies Authorized Agents by position and/or title, changes can be made by submitting new Authorized Agent information to the state.
- If the Governing Body Resolution identifies Authorized Agents by name, a new Resolution is needed when any changes are made. The information list above must also be submitted with the new Resolution.

Appendix B

Signature Authority

AS THE _____
(Secretary / Director / President / Chief Executive Officer)

OF THE _____,
(Name of Entity)

I hereby authorize the following individual(s) to execute for and on behalf of the named entity, any actions necessary for the purpose of obtaining federal financial assistance provided by the US Department of Homeland Security and subgranted through the Governor's Office of Homeland Security.

_____, *OR*
(Name or Title of Authorized Agent)

_____, *OR*
(Name or Title of Authorized Agent)

_____,
(Name or Title of Authorized Agent)

Signature _____

Title _____

Signed and approved this _____ day of _____, 20____

Appendix C

Grant Assurances

(All Applicants)

Name of Applicant: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: (____) _____

Fax Number: (____) _____

E-Mail Address: _____

As the duly authorized representative of the applicant, I certify that the applicant named above:

1. Has the legal authority to apply for FY 08 IECGP funds, and has the institutional, managerial and financial capability to ensure proper planning, management and completion of the grant provided by the State of California and administered by the California Office of Homeland Security (OHS).
2. Will assure that grant funds are only used for allowable, fair, and reasonable costs.
3. Will give the State of California generally and OHS in particular, through any authorized representative, access to and the right to examine all paper or electronic records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or OHS directives.
4. Will provide progress reports and such other information as may be required by OHS.
5. Will initiate and complete the work within the applicable time frame after receipt of OHS approval.
6. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain for themselves or others, particularly those with whom they have family, business or other ties.
7. Will comply with all California and federal statutes relating to nondiscrimination. These include but are not limited to:

- a. Title VI of the Civil Rights Act of 1964 (P.L. 88-352), as amended, which prohibits discrimination on the basis of race, color or national origin;
 - b. Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex;
 - c. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794) which prohibits discrimination on the basis of handicaps;
 - d. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107) which prohibits discrimination on the basis of age;
 - e. The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255) as amended, relating to nondiscrimination on the basis of drug abuse;
 - f. The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
 - g. Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. § 290dd-2), as amended, relating to confidentiality of alcohol and drug abuse patient records;
 - h. Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing;
 - i. Title 28, Code of Federal Regulations, Part 42, Subparts C, D, E and G;
 - j. Title 28, CFR, Part 35;
 - k. Any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made, and
 - l. The requirements on any other nondiscrimination statute(s) which may apply to the application.
8. Will comply, if applicable, with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
 9. Will comply with applicable environmental standards which may be prescribed pursuant to California or Federal law. These may include, but are not limited to, the following:
 - a. California Environmental Quality Act (CEQA). California Public Resources Code Sections 21080-21098. California Code of Regulations, Title 14, Chapter 3 Sections 15000-15007.
 - b. institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514;
 - c. notification of violating facilities pursuant to EO 11738;
 - d. protection of wetlands pursuant to EO 11990;
 - e. evaluation of flood hazards in floodplains in accordance with EO 11988;
 - f. assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.);
 - g. conformity of federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.);
 - h. protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and
 - i. protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

10. Will comply, if applicable, with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
11. Will assist OHS, as appropriate, in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), EO 11593 (identification and preservation of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§ 469a-1 et seq).
12. Will comply with Standardized Emergency Management System (SEMS) requirements as stated in the California Emergency Services Act, Gov Code §§ 8607 et seq. and CCR Title 19, Sections 2445, 2446, 2447 and 2448.
13. Will:
 - a. Promptly return to the State of California all the funds received which exceed the approved, actual expenditures as accepted by OHS.
 - b. In the event the approved amount of the grant is reduced, the reimbursement applicable to the amount of the reduction will be promptly refunded to the State of California.
 - c. Separately account for interest earned on grant funds, and use all interest towards the project as approved by OHS.
14. Will comply, if applicable, with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
15. Agrees that equipment acquired or obtained with grant funds:
 - a. Will be made available under the California Disaster and Civil Defense Master Mutual Aid Agreement in consultation with representatives of the various fire, emergency medical, hazardous materials response services, and law enforcement agencies within the jurisdiction of the applicant.
 - b. Is consistent with needs as identified in the State Homeland Security Strategy and will be deployed in conformance with that Strategy.
 - c. Will be made available pursuant to applicable terms of the California Disaster and Civil Defense Master Mutual Aid Agreement and deployed with personnel trained in the use of such equipment in a manner consistent with the California Law Enforcement Mutual Aid Plan or the California Fire Services and Rescue Mutual Aid Plan.
16. Will comply, as applicable, with provisions of Title 28 of the Code of Federal Regulations applicable to grants and cooperative agreements, including:
 - a. Part 18, Administrative Review Procedures;
 - b. Part 20, Criminal Justice Information Systems;
 - c. Part 22, Confidentiality of Identifiable Research and Statistical Information;
 - d. Part 23, Criminal Intelligence Systems Operating Policies;
 - e. Part 30, Intergovernmental Review of Department of Justice Programs and Activities;
 - f. Part 35, Nondiscrimination on the Basis of Disability in State and Local Government Services;
 - g. Part 38, Equal Treatment of Faith-based Organizations;

- h. Part 63, Floodplain Management and Wetland Protection Procedures;
 - i. Part 42, Nondiscrimination/Equal Employment Opportunities Policies and Procedures;
 - j. Part 61, Procedures for Implementing the National Environmental Policy Act;
 - k. Part 64, Floodplain Management and Wetland Protection Procedures; and Federal laws or regulations applicable to Federal Assistance Programs.
 - l. Part 66, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
 - m. Part 67, Government-Wide Debarment and Suspension (Non-Procurement)
 - n. Part 69, New Restrictions on Lobbying
 - o. Part 70, Uniform Administrative Requirements for Grants and Cooperative Agreements (including sub-awards) with Institutions of Higher Learning, Hospitals and other Non-Profit Organizations.
 - p. Part 83, Government-Wide Requirements for a Drug Free Workplace (grants)
17. Will comply, if applicable, with Subtitle A, Title II of the Americans with Disabilities Act (ADA) 1990.
18. Will, in the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds or race, color, religion, national origin, sex, or disability against a recipient of funds, the recipient will forward a copy of the finding to OHS.
19. Will comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
20. Will comply with all applicable requirements of all other California and Federal laws, executive orders, regulations, program and administrative requirements, policies and any other requirements governing this program.
21. Understands that failure to comply with any of the above assurances may result in suspension, termination or reduction of grant funds.

A. The applicant certifies that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and;

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

The undersigned represents that he/she is authorized by the above named applicant to enter into this agreement for and on behalf of the said applicant.

Signature of Authorized Agent: _____

Printed Name of Authorized Agent: _____

Title: _____ Date: _____